

REQUEST FORM FOR APPLICATION UNDER 37 CFR 1.53(b)



DOCKET NUMBER: 50099-246

Prior Application:

Art Unit:

2818

Examiner:

Son Luu MAI

BOX FEE Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This is a Request for filing a Divisional application under 37 CFR 1.53(b) of pending prior application

Serial No. 10/424,086, filed on April 28, 2003, entitled MAGNETIC MEMORY DEVICE AND MAGNETIC

SUBSTRATE, by the following named inventor(s): Tatsuya KUNIKIYO, Katsumi EIKYU.

- Incorporation By Reference (useable if Box 2b is checked)

 The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 2b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- 4. Preliminary Amendment is enclosed.
- 5. An Information Disclosure Statement and PTO1449 Form are submitted herewith.
- 6. A Cancel claims 5-18.

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7. The filing fee is calculated on the basis of the claims existing in the prior application as amended at 4 and 6 above:

| | NO. OF CLAIMS | | EXTRA CLAIMS | RATE | AMOUNT |
|--------------------|------------------|-------------|-----------------|---------------|----------|
| Total Claims | 4 | -20 | 0 | \$18.00 = | \$0.00 |
| Independent Claims | 1 | -3 | 0 | \$86.00 = | \$0.00 |
| | \$770.00 | | | | |
| | \$0.00 | | | | |
| | \$770.00 | | | | |
| | \$0.00 | | | | |
| | | ТОТ | AL APPLICAT | TION FEE DUE | \$770.00 |
| AMOUNT T | O BE CHAR | GED TO DEPO | OSIT ACCOU | NT NO. 500417 | \$770.00 |

| 7a. 🔼 | | Enclosed is a Verified | Statement to establish | small entity | status under 3 | 37 CFR 1.5 | 9 and 37 CFR 1.2 | 27 |
|-------|--|------------------------|------------------------|--------------|----------------|------------|------------------|----|
|-------|--|------------------------|------------------------|--------------|----------------|------------|------------------|----|

- 7b. A verified Statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27 was filed in prior application and such status is still proper and desired.
- 8a. PLEASE CHARGE DEPOSIT ACCOUNT 500417 in the amount of \$770.00
- 8b. The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 which may be required, including any extension of time fees to maintain the pendency of the parent application Serial No. 10/424,086 or credit any overpayment to Deposit Account No. 500417.
- 9. Amend the specification by inserting before the first line the sentence:
- --This application is a divisional of Application Serial No. 10/424,086 filed April 28, 2003, which is a divisional of Application Serial No. 09/989,155, filed November 21, 2001, U.S. Patent No. 6,567,299.--
- 10. Priority of Application Serial No. <u>P2001-029426</u> filed on <u>February 6, 2001</u>, in <u>Japan</u> is claimed under 35 USC 119. The certified priority document(s) were filed in Serial No. <u>10/424,086</u> on <u>April 28, 2003</u>.
- 11. \(\sum \) The prior application is assigned of record to

MITSUBISHI DENKI KABUSHIKI KAISHA

Tokyo, JAPAN

12. The power of attorney in the prior application is to:

McDermott, Will & Emery

- 13. Also enclosed:
 - 51 Pages of Formal Drawings

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14. A petition, fee and response has been filed to extend the term in the pending prior application until.

Address all future communications to: (May only be completed by applicant, or attorney or agent of record)

McDermott, Will & Emery 600 13th Street, N.W. Washington, DC 20005-3096

Respectfully submitted,

MCDERMOTT, WILL & EMERY

Stephen A. Becker Registration No. 26,527

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Date: March 11, 2004

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Docket No.: 50099-246 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Customer Number: 20277

Tatsuya KUNIKIYO, et al.

Confirmation Number:

Serial No.: Divisional of Appl. No.

10/424,086

Group Art Unit:

Filed: March 11, 2004

Examiner:

For: MAGNETIC MEMORY DEVICE AND MAGNETIC SUBSTRATE

TRANSMITTAL OF FORMAL DRAWINGS

Mail Stop Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The formal drawings (51) pages are submitted herewith.

Respectfully submitted,

MCDERMOTT, WILL & EMERY

Stephen A. Becker

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